COUNT TWO: (Title 21, United States Code, §841(a)(1) Possession With Intent To Distribute Controlled
Substances)

The Grand Jury further charges that:

On or about February 28, 2004, at New Bedford, in the District of Massachusetts,

## CORY HUBBARD,

defendant herein, knowingly and intentionally possessed with intent to distribute more than five grams of cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

EXHIBIT -1

## Case 1:04-cr-10235-MLW Document 101-2 Filed 03/11/2008 Page 2 of 11

have long decried the disparity between penalties for crack cocaine and powder cocaine.

"It was right to change it, and it should be changed even further," she said.

The third prisoner whose release has been ordered is Deborah Woodard. Young reduced her sentence from 135 to 120 months, making her eligible for release in June.

A bill pushed through Congress in the national frenzy following the 1986 death of Len Bias, a first-round National Basketball Association draft pick for the Celtics whose death was initially linked to crack cocaine, imposed extreme mandatory penalties for crack.

Under the law, someone caught with 1 gram of crack received the same sentence as someone with 100 grams of powder cocaine. It also imposed a minimum mandatory sentence of five years in prison for dealing 5 grams of crack and 10 years in prison for dealing 50 grams of crack.

Advocates of the two-tier penalty system said crack was cheaper and more addictive than powder cocaine and was more frequently linked to violent crime. But critics said that those differences were overstated and that blacks bore the brunt of the inequity, because they account for at least 80 percent of federal crack defendants.

The Sentencing Commission reduced the sentencing range for crack cocaine offenses by two levels last year, lowering the maximum recommended sentence for selling 5 grams of cocaine from 78 months to 63 months.

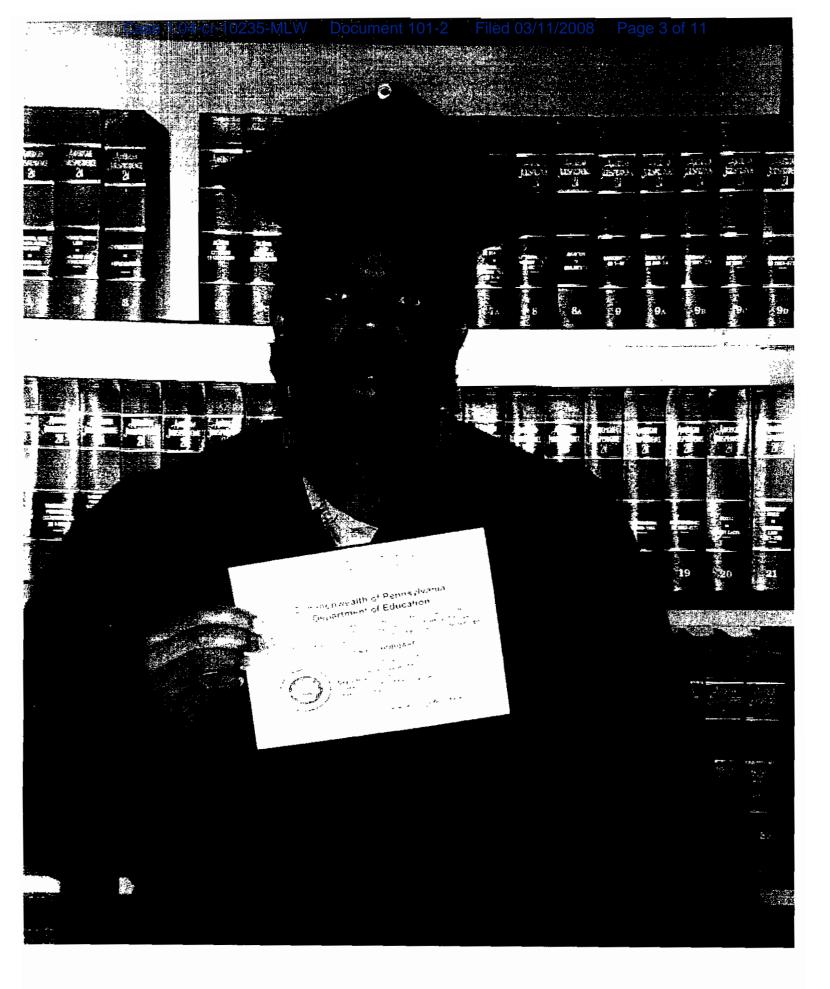
Nonetheless, prison terms for crack cocaine are still longer than those for powder cocaine, because only Congress can change the 100-to-1 ratio and mandatory minimum sentences.

Mary Price of Families Against Mandatory Minimums, an advocacy group, said she has heard of judges in other states issuing orders similar to those in Massachusetts.

Jonathan Saltzman can be reached at isaltzman@globe.com. ■

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EXHIBIT 6













# This certifies that HUBBARD #80459-038

has satisfactorily completed

## SPINNING I CLASS

Consisting of 25 Hours of Training

This certificate is hereby issued this  $\frac{10^{th}}{10^{th}}$  day of JUNE  $, 20^{07}$ 

PROGRAM SUPERVISOR







**June 2007** 

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## Certificate of Achievement awarded to:

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HUBBARD80459-038

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AWAITING GED TEST RESULTS 12-18-2007 01-08-2008 C W I 0
ADVANCED CLASS ON CONCRETE 10-30-2007 12-19-2007 P C P 10
GED 114 7:30-9:30 AM 11-09-2007 12-18-2007 C W I 0
PRE-GED 143 7:30-9:30 AM 02-09-2007 08-10-2007 P W I 196
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BEGINNING CLASS ON YOGA. 03-24-2007 06-26-2007 P C P
INTRODUCTORY SPINNING CLASS. 03-24-2007 06-11-2007 P C P
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SCIENCE 480.0 12-18-2007 CAA
SOC STUDY 530.0 12-18-2007 CAA
WRITING 540.0 12-18-2007 CAA
LIT/ARTS 630.0 06-26-2007 CAA
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TRANSACTION SUCCESSFULLY COMPLETED

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## DEPARTMENT OF EDUCATION 333 MARKET STREET HARRISBURG, PA 17126-0333

CORY D HUBBARD PO BOX 400 WAYMART PA 18472

DATE: 01/01/2008 GED I.D. NO: XXX-XX-7831 DATE OF BIRTH: 04/28/1978

## DEAR CORY,

Congratulations! You have satisified the Commonwealth Diploma Program requirements which include a total score of 2250 or more, an average score of 450 or more and no single test score less than 410. Certificate number 3657831 dated 12/31/2007 has been issued and is enclosed with this letter. DUPLICATE DIPLOMAS WILL NOT BE ISSUED.

The following is an OFFICIAL TRANSCRIPT of your scores on the General Educational Development Tests.

Year of Withdrawal from School

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Last Grade Completed:

Test		Form	Standard Score	Percentile Rank for U.S.	Subject
Test #	1	IG	540	66	Language Arts/Writing
Test #	2	IG	530	62	Social Studies
Test #	3	IG	480	42	Science
Test #	4	IG	650	93	Language Arts/Reading
Test #	5	IG	430	24	Mathematics

Total

2630

Standard Score Average:

526

Date of Last Test:

12/18/2007

If you have any questions, please direct them to:

COMMONWEALTH DIPLOMA PROGRAM PENNSYLVANIA DEPARTMENT OF EDUCATION 333 MARKET STREET, 12th FLOOR HARRISBURG, PA 17126-0333 TELEPHONE 717-787-6747

Mary P. Cain

Ged Ed. Admin. Associate

Commonwealth Diploma Program

